



DEPARTMENT OF PERSONNEL

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MEMO PERD #40/00
December 18, 2000

PERSONNEL COMMISSION
Meeting Minutes of October 4-5, 2000
Carson City, Nevada

I. Call To Order

Chairman Manos called the meeting to order at 9:45 a.m., October 4, 2000, at the Legislative Building, Room 4100, Carson City. Members present: Chairman Ted Manos, Commissioners James Skaggs, and Victoria Riley. Teo Gamboa arrived at 10:30 a.m. Member not present: Claudette Enus. Also present were: Jeanne Greene, and Carol Thomas from the Department of Personnel, and Sr. Deputy Attorney General Jim Spencer.

II. *Adoption Of Agenda

The classification appeal of Marlene Parks, Program Officer II, University of Nevada, Reno, Facilities Management, was postponed until the next meeting. Commissioner Skaggs' motion to adopt the agenda was seconded by Commissioner Riley and unanimously carried.

III. *Minutes Of Previous Meeting

The minutes of the June 16, 2000, Personnel Commission meeting were approved by acclamation.

IV. *Classes Subject To Pre-Employment Screening For Controlled Substances
Nevada Veterans Nursing Home, Office of Veteran Services

Jon Sias, Director, Nevada Veterans' Nursing Home, introduced Deputy Attorney General, Gina Session, and requested that specific positions at the home in the classes of Quality Assurance Specialist I, Registered Nurse III/II, Licensed Practical Nurse III, and Certified Nursing Assistant be approved for pre-employment drug screening. Mr. Sias stated there would be 120 clinical staff caring for 180 residents at the home.

Chairman Manos asked why the nurses needed to be tested. Mr. Sias answered that the concern for public safety should be extended to those nurses at the Nevada Veterans' Nursing Home because they dealt with a vulnerable population who were at the mercy of the care providers hired. Drug screening is the standard in a vast majority of nursing homes.

Commissioner Skaggs agreed based on what he knew of hospitals in Northern and Southern Nevada. Mr. Sias explained that if the public safety concept was not extended to the positions requested, the Nevada Veterans' Nursing Home may become a dumping ground for clinicians unable to pass drug screening in the private sector.

Shelley Blotter, Personnel Analyst, Department of Personnel, explained that the Veterans' Administration Medical Center conducted random pre-employment drug testing for all clinical positions. Positions related to quality assurance, typically filled by nurses, were included in the screening.

Commissioner Riley asked if the Commission approved the request, would it apply to all categories of nurses. Ms. Blotter clarified the request was not for all healthcare positions statewide but only for those positions at the Nevada Veterans' Home. However, it would affect persons currently employed by other State agencies who applied for clinical positions at the home.

There being no further discussion, Commissioner Skaggs' motion to approve the classes/positions at the Nevada Veterans' Nursing Home for pre-employment drug screening was seconded by Commissioner Riley and unanimously carried.

V. *Classification

Department of Prisons

Correctional Officer Series

Mary Day, Supervisory Personnel Analyst, Department of Personnel, summarized the Department of Prisons difficulty in recruiting Correctional Officers. The additional level of Correctional Assistant would allow the hiring of individuals who might not be able to pass the physical agility requirements at the time of hire. Incumbents would perform limited duty functions and be provided training to meet the physical requirements to allow progression to Correctional Officer Trainee. The minimum qualifications were also expanded to allow the Department of Prisons to hire Correctional Officers possessing experience in other jurisdictions.

Bob Gagnier, Executive Director, State of Nevada Employees' Association, expressed his belief that Correctional Officers must be 21 years of age in order to escort prisoners or participate in yard duties.

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Mr. Gagnier additionally felt the revised minimum qualifications (MQ's) for Senior Correctional Officer, which considered experience outside the State of Nevada, was more appropriate for the MQ's for Correctional Officer, since Senior Correctional Officer was a promotional level.

Kathi Sinclair, Personnel Officer, Department of Prisons, stated the MQ's for Correctional Officer currently allowed for an equivalent combination of education and experience from another institution. The change to the Senior Correctional Officer MQ's simply defined that equivalency statement.

Ms. Sinclair explained the last open competitive recruitment for Senior Correctional Officer was in 1995, and the Department of Prisons had no plans to solicit outside recruitments; however, applicants could apply their outside experience once in Nevada State service.

Mr. Gagnier also objected to allowing qualifying experience from a private correctional facility, where employees had no training in law enforcement and were not necessarily qualified law enforcement personnel.

Mr. Gagnier suggested changing the MQ's to read, "experience as a Correctional Officer in an adult correctional institution, which included certification as a law enforcement officer under P.O.S.T. or its equivalent. Ms. Sinclair expressed no objections to the proposed wording offered by Mr. Gagnier.

Chairman Manos readdressed limiting the Correctional Assistant to at least 21 years of age. Ms. Sinclair responded that in the rural areas of Ely and Lovelock, some qualified candidates were just out of high school or in their first year of college. Those candidates would still be tested and serve a probationary period, but could not progress to Correctional Officer Trainee until the age of 21.

Mr. Gagnier explained the association would prefer to have the age specified by law or regulation.

There being no further discussion, Commissioner Skaggs moved to approve the revised Correctional Officer series class specification.

Chairman Manos clarified the motion was to adopt the Correctional Assistant class with no age restriction, the revised minimum qualifications for Correctional Officer would be expanded to include the same language as Senior Correctional Officer as proposed by Mr. Gagnier.

Commissioner Riley seconded the motion and it unanimously carried.

VI. *Classification Appeals

A. **Harley Anderson, Electrician Supervisor**
University of Nevada, Reno, Facilities Management

Harley Anderson, currently an Electrician Supervisor, grade 33, requested reclassification to Facility Supervisor III, grade 35, because of his workload and added supervision. His supervisor, Greg Battaglia, Assistant Utilities Director, University of Nevada, Reno, explained Mr. Anderson supervised an equipment mechanic, grade 29, who maintained thirty-two generators, a general crafts helper, grade 30, four journey electricians, grade 31, two advanced electricians, grade 32, and a student worker. New duties of supervising one additional position, conducting budget review and special projects had increased by 30%.

Mr. Anderson operated under minimum supervision, supervised a variety of trades, worked in a complex environment and was responsible for the maintenance of the electrical distribution system on campus which included all transformers, switches, fuses and wires. Mr. Battaglia felt he met all requirements necessary for an upgrade to Facility Supervisor III.

Robin Freestone, Personnel Analyst, University and Community College System of Nevada, Business Center North Personnel Services, compared the duties of Mr. Anderson, who provides direction and supervision to a crew of electricians and support staff, to Facility Supervisors who supervise a variety of journey-level skilled workers (carpenters, electricians, and/or HVAC Specialists). Facility Supervisors also require a greater depth of knowledge of those skilled trades and associated codes than is required for supervising staff for a single trade. The addition of one skilled worker, who provides support work in a maintenance capacity, did not represent significant change.

Ms. Freestone noted there were several trade supervisor positions (i.e., Carpenter Supervisor, Plumber Supervisor, Environmental Systems Supervisor, and Painting Supervisor) within the same division as Mr. Anderson. If his appeal was granted, a serious misalignment in the organizational structure would result. Ms. Freestone concluded Mr. Anderson's duties fit the series concept and description of typical assignments for Electrician Supervisor.

After further discussion, Commissioner Skaggs' motion to deny the appeal was seconded by Commission Riley and unanimously carried.

VII. *Regulation Changes

NAC 284.206 Special adjustments to salaries. (NRS 284.155, 284.175)

Section 1 of this amendment, proposed by the Department of Human Resources, would restrict the availability of the special salary adjustment for working in an assaultive environment to Mental Health and Mental Retardation Technicians in the Divisions of Mental Health/Developmental Services and Child and Family Services who meet the criteria for designation as determined by their Administrator. This change would take effect the beginning of the pay period immediately following filing with the Secretary of State after approval by the Personnel Commission.

Section 2 proposed by the Department of Human Resources, eliminates the special salary adjustment for Mental Health and Mental Retardation Technicians working in an assaultive environment upon implementation of the occupational group study projected to be July 1, 2001. The Department of Personnel's recommendation for a one-grade increase at all levels of the technical series will allow this change to happen with no significant impact to any technician.

These are the positions in specific units which are regularly charged with managing assaultive behaviors and are trained to do so. A review of other classes currently receiving this special salary adjustment indicated that continuation of the adjustment is no longer warranted because the position either does not meet the conditions of the regulation and/or the environment does not significantly impact the position.

Furthermore, this proposal is consistent with the growing emphasis in the professional, licensing, and accreditation environments on the use of positive behavioral supports and interventions as opposed to restraints and seclusion. Even the term "assaultive environment" is inappropriate because it allows clients' potential dysfunctional behaviors to characterize the environment rather than the "therapeutic environment" which direct care agencies exist to provide.

Carol Thomas, Chief, Technical Services, Department of Personnel, explained that at the request of the Governor, subsection 7 had been added to the regulation to protect employees currently receiving a +5% salary adjustment from losing any salary until merit salary increases, grade increases, and/or cost of living adjustments were offset by the 5 percent authorized under subsection 1(d).

Bob Gagnier, Executive Director, State of Nevada Employees Association, opposed the regulation change as did numerous others. He noted for the record the efforts of the Governor and his staff were appreciated; however, affected employees would lose due to the freeze on their salaries. He further explained that an individual scheduled to get a merit salary increase between now and whenever the next cost of living adjustment comes wouldn't get that increase.

Chairman Manos indicated it was not the intention to preclude anyone from getting a normal merit increase; however, if there was language precluding someone from a normal merit increase, additional language should be inserted ensuring those employees would be entitled to any normal merit increases that would be in excess of the frozen salary.

Discussion continued regarding the interpretation of subsection 7 of the proposed regulation.

Mr. Gagnier referred to the revised class specifications from the Mental Health occupational study which stated the positions worked in an assaultive environment. According to current regulation, those positions would no longer be eligible to receive a special salary adjustment for assaultive environment because it was defined in the revised class specifications.

Mr. Gagnier pointed out the changes to the two sections of NAC 284.206 would affect not only Mental Health/Mental Retardation Technicians but nurses, psychiatric nurses, maintenance repair workers, therapeutic recreation specialists, facilities supervisors, developmental specialists, clinical social workers and licensed psychologists and stated applicants or many of those classifications were currently in short supply.

Charlotte Crawford, Director, Department of Human Resources, articulated that all the environments within the Department were challenges and it was very difficult to determine which were the most challenging. The allowance for hazard duty pay would ultimately pit employee group against employee group based on their place of assignment. Challenging environments needed to be incorporated into job descriptions with an additional 5% compensation built into them. Classifications that didn't normally work in an assaultive environment which were not written into their job description would continue to receive a special salary adjustment.

Kathy Naumann, Teamsters Union Local 14, opposed both sections stating how the changes would send a message to those working in an assaultive environment that they weren't valued. Ms. Naumann added that even though these facilities were providing therapy, they were still hostile environments. She felt the Commission, along with representatives from groups affected, should re-examine the language and make recommendations and suggestions about what the State of Nevada needs in order to attract and retain employees.

Ron Strickland, Clinical Social Worker, Lakes Crossing Center, described the hazardous environment in which he worked where employees were threatened and exposed to human wastes and diseases. He pointed out that statistics kept at the detention center indicated there had been over 614 assaults during the past 16 years, averaging three assaults per month. Mr. Strickland described Lakes Crossing as a jail and not a therapeutic

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environment and it couldn't be changed to a non-assaultive environment based on the volatile population served. Mr. Strickland mentioned a contract he and others signed which included an additional 5% to their base.

Officer Alan Schlossber of the Las Vegas Metropolitan Police Department, spoke in support of Mr. Strickland and described the types of inmates the Police Department dealt with and how the staff at Lake's Crossing put themselves at risk during counseling those inmates. Officer Schlossber stated they were an asset, the State could be proud of the job they do and they deserve what little extras they get.

Valerie German, Mental Health Technician at Desert Willow Treatment Center, a facility for juveniles, described the physical and medical risks of working with mentally and emotionally unstable children.

Harry Dudley, Clinical Social Worker, Lakes Crossing Center, stated the individuals at the facility were sent there by the courts for the purposes of either determining competency or restoring them to competency. Mr. Dudley added that in the last year there were approximately 100 incidents, primarily between clients, where staff had to intervene.

Dr. Jerry Zadny, Psychologist, Nevada Mental Health Institute (NMHI), spoke against the removal of the salary adjustment for clinicians. Working on an acutely disturbed adult in-patient unit was inherently dangerous and more so than other State jobs.

David Crowfoot, Psychiatric Nurse IV, Lakes Crossing Center, explained that the technicians lost the special salary adjustment when they were upgraded to Forensic Specialists in 1984, and now a similar event would affect the Mental Health/Mental Retardation Technicians in 2001. Mr. Crowfoot explained there were tools available to prison nurses and prison guards that were not available to Lakes Crossing and the Institute staff for controlling inmates.

There being no further testimony, the Commissioners discussed the other qualifying categories and the classes eligible for +5% salary adjustments as stated in NAC 284.206.

Commissioner Riley inquired about the statement made earlier by Mr. Strickland that the +5% was part of their contract.

Jim Spencer, Senior Deputy Attorney General clarified that such a contract would not be binding if the regulation was changed. It was not a contract but an offer of acceptance of employment on those terms.

Discussion continued on the inequities between other positions receiving salary adjustments and those working in hazardous environments on a regular basis which would not.

Commissioner Riley commented the staff of these facilities made a compelling argument about the danger of their day-to-day work environment.

There being no further discussion, Chairman Manos called for a motion.

Commissioner Skaggs made a motion to approve the regulations as submitted and look into eliminating other classes currently eligible wherever possible.

As there was no second to Commissioner Skaggs' motion, Chairman Manos asked if there was another.

Commissioner Gamboa made a motion to deny the proposed regulation changes because he felt the employees from Lakes Crossing had made a compelling argument that their job was indeed hazardous and they should continue to receive the +5% salary adjustment. Commissioner Gamboa added that when an exception was made for a law enforcement officer assigned to motorcycle duty, it seemed inherently unfair.

Commissioner Riley seconded Commissioner Gamboa's motion. Chairman Manos stated it would require three votes to carry the motion and he would vote for it; however, he was opposed to special salary adjustments and felt they all should be abolished. The motion carried with Commissioner Skaggs opposed.

VIII. *Medical, Health & Related Services, Subgroup: Nursing Services, Sub-Professionals Occupational Group Study

Chairman Manos summarized the results and called for a motion to approve the Medical, Health & Related Services, Subgroup: Nursing Services, Sub-Professionals, occupational group study.

Commissioner Riley's motion to approve the occupational group study as recommended was seconded by Commissioner Gamboa and unanimously carried.

IX. *Clerical & Related Services Occupational Group Study

Chairman Manos summarized the results of the Clerical & Related Services occupational group study and the basis for recommendation. He noted there were a substantial number of appeals and pointed out many classes had been condensed into one series.

Mary Day, Supervisory Personnel Analyst, Department of Personnel, explained that in conducting the study, Subject Matter Expert (SME) committees were consulted who assisted the analysts with developing the Administrative Assistant, Accounting Assistant, Supply Technician and Legal Secretary classes. SME committee members were selected based upon length of, and experience in, State service and were familiar with the work

performed at each class level according to the committee assigned. The SME's identified problems with existing class specifications, identified issues and changes, reviewed knowledge, skills and abilities (KSA's), and validated minimum qualifications. They additionally served as the initial review for first level appeals by conducting interviews with appellants and the analysts.

Chairman Manos called for a motion to approve the Clerical and Related Services occupational group study as recommended.

Commissioner Gamboa's motion to approve was seconded by Commissioner Riley and unanimously carried.

X. *Clerical & Related Services Occupational Group Study Appeals

A. ADMINISTRATIVE ASSISTANTS

Linda Ingram, Administrative Assistant IV
University of Nevada, Reno, University Library

Linda Ingram, Administrative Assistant IV, grade 29, University of Nevada, Reno, (UNR) University Library, requested reallocation to Executive Assistant, grade 31. Ms. Ingram explained she provided support to the Associate Vice President of Information Resources and Technologies who was also the Dean of Libraries for UNR and she supervised one Administrative Assistant III, grade 27, and one Personnel Technician I, grade 25. Ms. Ingram stated her duties included those relating to fiscal and personnel and she had signature authority on the operating budget as well as having numerous influential contacts in the system. Ms. Ingram compared her position to the Executive Assistant of the Dean of Libraries at the University of Nevada, Las Vegas (UNLV).

Robin Freestone, Personnel Analyst, University and Community College System of Nevada, Business Center North Personnel Services, explained that the Assistant Dean of Libraries performs the majority of administrative functions for the Dean including fiscal oversight, acting on behalf of the Dean, and completing special projects and was the personnel manager for all academic and administrative classified positions at the library. Ms. Ingram did not resolve difficult problems on behalf of the Dean, confer with high level administrators on sensitive issues, or evaluate and determine priority issues for the Dean. Those functions were performed by the Assistant Dean. Ms. Freestone noted that the Dean of Libraries at UNLV delegated some of his duties in a predetermined scope to his Executive Assistant, which was not the case at UNR.

Continuing, Ms. Freestone stated Executive Assistants were distinguished by the fact they not only provided clerical assistance, but acted with authority on behalf of the Dean in matters of importance, which relieved the Dean of many tasks not necessarily requiring

their attention. Fifteen duties were represented within the class specification for Executive Assistant that were expected and typical of positions at this level and of those 15 duties, Ms. Ingram performed two of them: supervision of lower-level clerical staff in the office and assistance in the coordination of the Dean's calendar.

Commissioner Gamboa inquired if Ms. Ingram had the support of the Dean in her appeal and Ms. Ingram responded she spoke to him about the appeal, but could not speak for him regarding the support issue. After review of both her Position Description Questionnaire (PDQ) and the PDQ of the Executive Assistant at UNLV, she felt they were comparable positions.

There being no further discussion, Commissioner Skaggs' motion to deny Ms. Ingram's appeal was seconded by Commissioner Gamboa and unanimously carried.

Betty Case, Administrative Assistant IV

Department of Human Resources, Aging Services Division

Betty Case, Administrative Assistant IV, grade 29, requested reallocation to Executive Assistant, grade 31, and explained that with growth and additional responsibilities placed on the division administrator, the division must have a position to provide the highest level of administrative and clerical support.

Kareen Masters, Personnel Officer, Department of Human Resources, stated the Department supported the appeal and asked the Commission to approve it because the duties performed by Ms. Case included serving as a clearinghouse for media contacts, acting as liaison for the division administrator, Governor's office, Legislative Counsel Bureau, Budget Division, and Legislators. Ms. Case also served as personnel director for the division, office manager for the Carson City office, and manager for a statewide support unit that included twenty-four clerical staff. Ms. Masters noted that within the divisions of the Department of Human Resources, all but Ms. Case's position had been allocated to Executive Assistant.

Shelley Blotter, Personnel Analyst, Department of Personnel, stated reporting relationship was an indicator of the types of duties that can be assigned to a position, but was not the only factor examined in determining which positions should be allocated to the Executive Assistant class. In addition to reporting to a Dean in the University and Community College System, an elected official, or a Director of a State Department, the type and nature of personal contacts, the consequence of error, and decisions and scope of responsibility were assessed. Due to the complexity, diversity, and high visibility of five divisions within the Department of Human Resources, they were considered to be departments for the purposes of allocations to the Executive Assistant class. Ms. Blotter explained the complexity, diversity, and high visibility of the Aging Services Division was not on par with the other divisions. Ms. Blotter contended Ms. Case's position more

closely identified with the responsibilities of an Administrative Assistant IV at the Gaming Control Board's Enforcement Division and described the duties of that position.

Commissioner Skaggs stated he did not understand the rationale of the Department of Personnel's decision and felt the comparison of Ms. Case's position should be made with similar positions within the Department of Human Resources and not compared to a position in Gaming.

There being no further discussion, Commissioner Skaggs' motion to approve the appeal was seconded by Commissioner Riley and unanimously carried.

Susan Ferguson and Shaun Stevens, Administrative Assistant III
Department of Motor Vehicles & Public Safety, Highway Patrol Division

Susan Ferguson and Shaun Stevens, Administrative Assistant III's, grade 27, requested creation of a new classification entitled, Evidence Technician, at a higher grade.

Shaun Stevens stated they were not able to present their appeal before a SME committee because there wasn't one for evidence technicians. She agreed their duties fit the Administrative Assistant III concepts, but their consequence of error was at the Administrative Assistant IV level. Ms. Stevens ran the Las Vegas vault.

Susan Ferguson added she runs the Elko and Ely vaults learned the Highway Patrol radio system, and is certified to conduct drug testing. She agreed with Ms. Stevens presentation.

Lt. Mark Malloy introduced himself as Ms. Stevens' immediate supervisor and stated there was inequity of pay grades throughout the State's evidence vaults. The position at the Carson City vault, for example, was a grade 29. Lt. Malloy added that Ms. Ferguson was currently performing half time evidence technician and half time storekeeper functions. He continued to say he relied on Ms. Stevens completely, and she was the only technician with a subordinate working for her. He stated that Ms. Stevens' position was not a support position, but that she ran the Las Vegas vault, the largest in the State, on her own.

Tewolde Habtemicael, Personnel Analyst, Department of Personnel, explained that in comparing Ms. Ferguson to Ms. Stevens it was recommended to upgrade Ms. Ferguson from grade 25 to grade 27. Mr. Habtemicael compared the appellants to other program support positions in addition to the grade 29 in Carson City.

Chairman Manos asked for a motion and hearing none, stated his position that the appeal should be denied with regard to changing their titles to Evidence Technician, Ms. Ferguson's position was properly classified as an Administrative Assistant III, and Ms. Steven's position should be upgraded to an Administrative Assistant IV.

Commissioner Gamboa moved to adopt Chairman Manos' position. In discussing the motion, Commissioner Riley stated she was struggling with the differences between the positions because Ms. Ferguson oversaw two vaults.

Ms. Ferguson responded that she would also be overseeing the Winnemucca vault; however, agreed Las Vegas was the largest vault and handled the most volume.

Based on Ms. Ferguson's response, Commissioner Riley seconded Commissioner Gamboa's motion and recommended that should Ms. Ferguson's duties expand in the future, it may look like a different level. Motion unanimously carried.

Marta Marsh, Administrative Assistant III

Department of Motor Vehicles & Public Safety, Parole & Probation Division

Marta Marsh, Administrative Assistant III, grade 27, requested reallocation to Administrative Assistant IV, grade 29, because she supervised a staff of five subordinates and two volunteers. Ms. Marsh stated she was able to control her unit without the supervision of her supervisor and worked directly with the Attorney General's office. Her duties included serving subpoenas and court orders; responsibility for unit budget proposals and staff compensation/overtime approval, working with the Parole Board compiling information regarding offender files for hearings, and responsibility for security procedures for 13,000 files. Ms. Marsh explained her duties had changed significantly since the completion of the Clerical & Related Services occupational study.

Peggy Martin, Personnel Analyst, Department of Personnel, stated the additional duties assigned to Ms. Marsh's position included retrieving and recreating case files and controlling access to the division's file room. These duties, as well as the supervision of lower level employees, were consistent with the Administrative Assistant III class concept. She compared the position to that of a benchmark position at the Gaming Control Board in that both positions were responsible for a central file room and have comparable duties with similar size and grade level staff.

A comparison had also been made with an Administrative Assistant IV, grade 29, performing similar supervisory file functions at the Department of Transportation. Finally, Ms. Martin noted the SME committee determined the duties of Ms. Marsh's position were consistent with the class concept of the Administrative Assistant III and the Department of Personnel concurred.

With no further discussion, Chairman Skaggs' motion to deny the appeal was seconded by Commissioner Riley and unanimously carried.

Karen McKay and Linda Ketner, Administrative Assistant III's
Department of Human Resources, Mental Health/Developmental Services Division,
Southern Nevada Adult Mental Health Services

Linda Ketner was unable to attend the meeting due to a family emergency.

Karen McKay stated over 12,000 clients were served at Southern Nevada Adult Mental Health Services (SNAMHS) and those clients at some time would communicate to the Medical Director whom she reported directly. In her original appeal, she had requested reclassification to the Executive Assistant, grade 31, which was denied. Ms. McKay contended her duties were equal to that of an officer manager in a corporate setting or that of an Executive Assistant to a Medical Director in a private hospital. Ms. McKay stated the complexity of her tasks were primarily due to dealings with clients and position credentialing. Her position was solely responsible for credentialing physicians in Southern Nevada and any errors in that process could lead to the recruitment or recommendation of underqualified physicians, resulting in compromised patient care, and financial liability to the agency, division, and State.

She asked the Commission to consider reclassifying her position to Administrative Assistant IV, grade 29, on the basis of her knowledge, the fact her counterpart at Nevada Mental Health Institute (NMHI) had received an upgrade to Administrative Assistant IV, and the large client population served in the south.

Richard Horton, Acting Medical Director, SNAMHS, supported Ms. McKay and summarized that she served as his consultant especially for staffing and credentialing issues.

Tewolde Habtemicael, Personnel Analyst, Department of Personnel, indicated both the positions of Ms. McKay and Ms. Ketner were comparable because both were support positions to professionals. Positions at the Administrative Assistant III level provide secretarial support to the manager of a complex work group consisting of professional staff and subordinate supervisors and SNAMHS was a good example of such a group. Mr. Habtemicael stated the duties and responsibilities assigned to both positions were fully described in the Administrative Assistant III class concept. The Department of Personnel and the SME's determined both positions were appropriately classified as Administrative Assistant III's, grade 27.

Commissioner Gamboa asked the difference in size between the north and the south. Ms. McKay responded the population base at SNAMHS was over 12,000 compared to 5,000 at NMHI.

There being no further discussion, Commissioner Skaggs' motion to deny the appeal of Karen McKay was seconded by Commissioner Riley and unanimously carried.

Chairman Manos asked Dr. Northrup to advise Ms. Ketner she had the right to present her appeal before the next Personnel Commission meeting; however to convey to her it was the opinion of the Commission that the two positions were very similar and action taken on Ms. McKay's appeal would be carefully reviewed.

Joan DiBlasio, Administrative Assistant I
Public Utilities Commission

Chairman Manos explained Ms. DiBlasio had been downgraded from a Management Assistant II, grade 25, to an Administrative Assistant I, grade 23. Ms. DiBlasio requested reclassification of her position to Administrative Assistant II, grade 25.

Joan DiBlasio explained her duties varied from diffusing irate consumers to handling problems and sensitive issues on a regular basis and always with the utmost professionalism. She was solely responsible for logging and processing documents filed with the Public Utilities Commission (PUC) in the Las Vegas office, processing bank deposits, providing reports to the Carson City office on a quarterly basis, and posting agendas as indicated in the Administrative Assistant II class concept. She felt her current duties and their associated complexities exceeded what was indicated in the Administrative Assistant I class concept.

Alys Dobel, Personnel Analyst, Department of Personnel, explained it was always difficult to recommend downgrading a position and the department did not take this type of decision lightly; however, over a course of time, Ms. DiBlasio's position had changed significantly. In 1990, the position's primary function had been to type legal opinions, orders, notices, and non-routine correspondence and had been upgraded from a Management Assistant I to a Management Assistant II due to this function. Currently, Ms. DiBlasio's primary function was front desk receptionist. PUC experienced three reorganizations since 1990, which forced them to restructure positions. PUC regretted their inability to assign higher level duties to Ms. DiBlasio's position indicating her counterpart in the Carson City office was also allocated to an Administrative Assistant I.

Chairman Manos inquired how Ms. DiBlasio salary would be impacted assuming the appeal was denied. Ms. Dobel answered she would be on retained rate for up to four years per NAC 284.290. Ms. DiBlasio could also apply for reemployment rights to her former class per NAC 284.140.

After the history of the position was examined in detail, it was determined the duties were in alignment with the Administrative Assistant I concept.

There being no further discussion, Commissioner Riley's motion to deny the appeal was seconded by Commissioner Skaggs and unanimously carried.

(7) Administrative Assistant II's - Corrie Ebeling-Tonopah Mental Health Center, Joann Jackson-Hawthorne Mental Health Center, Jean Jones-Silver Springs Mental Health Center, Fauncille Keller-Dayton Mental Health Center, Lori Stonum-Fernley Mental Health Center, Dana Tueller-Lovelock Mental Health Center, and Patricia Whitlock-Battle Mountain Mental Health Center
Department of Human Resources, Mental Health/Developmental Services Division
Nevada Mental Health Institute

Jean Jones represented the appellants and explained their first-level appeal had been denied because they did not supervise lower level clerical staff. However, they all managed an office without supervision or help of additional staff, assisted the Clinic Director whenever needed, and felt their duties warranted an upgrade to Administrative Assistant III, grade 27.

Alys Dobel, Personnel Analyst, Department of Personnel, explained the Rural Clinics Community Outpatient Services operated nine satellite clinics and seven sub-satellite clinics dispersed throughout the State. Ms. Dobel explained that Charles Buel, Rural Clinics Director, and Renee Travis, Personnel Analyst for Rural Clinics, had recently restructured nine of the administrative support staff positions to provide secretarial support and assistance to the satellite Clinic Director, supervise subordinate clerical staff, and serve as a liaison with the sub-satellite clinics. Therefore, the nine positions in those satellite clinics were upgraded to Administrative Assistant III's, grade 27.

Ms. Dobel explained the appellants, who also provide administrative support in the sub-satellite offices, perform a variety of general office duties, process applications/requests for services, and receive and process fees for services. While the appellants function very independently and manage their individual offices, the level of duties were not comparable to the positions in the satellite offices who assist the Clinic Director in meeting program directives and reporting requirements and supervise lower level staff. The appellants' positions are accurately described in the class concept for Administrative Assistant II, grade 25.

Commissioner Gamboa commented in his examination of the organizational chart there did not seem to be any mention of the positions' autonomy and the fact that those positions ran their offices. Ms. Dobel said that the autonomy was recognized in the Administrative Assistant II concepts.

Chairman Manos inquired when examining the size of the offices, how they could conceivably have 50 percent less work and clientele. Ms. Jones replied the client load in her Silver Springs office was 147 versus a clientele load of 87 in Elko which has two support staff and several caseworkers and social workers. She stated the client load was

significantly higher in many of the sub-satellite clinics and the appellants were not being compensated for that.

According to Ms. Dobel, many of the offices had not had a Clinic Director on-site for two years; however, the individuals in those offices would still have to perform many of the duties including prioritizing work flow, coordination of communication, and training as if the Clinic Director were in the office because they would report directly to Rural Clinics administration.

After additional discussion of staffing levels and client loads, Chairman Manos asked what the adverse effects would be if the positions were upgraded. Ms. Dobel responded position comparisons in other clinics throughout the State would be impacted.

There being no further discussion, Commissioner Gamboa's motion to grant the appeals was seconded by Commissioner Skaggs and unanimously carried.

(2) Administrative Assistant II's, Gayle Scott-Burkland and Kathy Hull

(2) Administrative Assistant III's, Kathy Shapland and Evelyn Gilbert

*Department of Human Resources, Mental Health/Developmental Services Division,
Nevada Mental Health Institute (NMHI)*

Chairman Manos summarized that Gayle Scott-Burkland and Kathy Hull were currently Medical Office Assistant II's, grade 25, and were allocated to Administrative Assistant II, grade 25. Kathy Shapland was a Medical Office Assistant II, grade 25, and was upgraded to Administrative Assistant III, grade 27. All three appellants were requesting reclassification to Medical Records Technician I, grade 29.

Evelyn Gilbert, currently a Medical Office Assistant Supervisor, grade 27, was allocated to Administrative Assistant III, grade 27. She requested reallocation to Medical Records Technician II, grade 31. Chairman Manos inquired if the Medical Records Technician was a new or existing class. Shelley Blotter, Personnel Analyst, Department of Personnel, replied it was an existing class.

Kathy Shapland explained she, Gayle Scott-Burkland and Kathy Hull performed medical transcription, analyzed charts for completeness according to division policies and standards, accreditation verified procedural and diagnosis coding, and maintained medical records and documents. Her position additionally selected a percentage of discharged patient charts to be reviewed by physicians other than the attending physician and she conducted timeliness reviews in accordance with accreditation requirements. She added they felt their duties were more technical than clerical and warranted reclassification to Medical Records Technician I.

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Shelley Blotter, Personnel Analyst, Department of Personnel, explained one of the functions of an occupational study was to eliminate narrowly focused classes which was the case for the Medical Office Assistant series.

Ms. Blotter explained Medical Records Technician I's work independently performing and coordinating the medical records activities for their site. Positions currently allocated to this class coordinate medical records at a State prison or one of the mental health outpatient clinics associated with Southern Nevada Adult Mental Health Services (SNAMHS). In contrast, Ms. Shapland, Ms. Scott-Burkland and Ms. Hull perform a variety of clerical and specialized duties in the medical records department at NMHI under the supervision of, and in close proximity to, the Medical Records Director. They are not responsible for the overall coordination of the medical records function for that facility.

Ms. Blotter added there were other positions in the Division of Mental Health/Developmental Services working in the medical records department at SNAMHS that perform similar assignments to Ms. Scott-Burkland and Ms. Hull. Those positions are allocated to the Administrative Assistant II and Administrative Assistant I classes. Allocating these appellants to a higher level in the Administrative Assistant series would create internal equity problems for the agency.

Ms. Blotter stated Ms. Shapland had been assigned additional, higher-level duties. These additional responsibilities represent 50% of her assigned duties, and for that reason, her position was upgraded to Administrative Assistant III.

Commissioner Gamboa commented the appellants were in fact creating medical records and asked how they could not be in the Medical Records Technician series.

There was lengthy discussion regarding the differences between those who were in the Medical Records Technician series and those who were not.

Kathy McCormick, Personnel Officer, Division of Mental Health & Developmental Services (MH/DS) suggested working with Ms. Blotter in revising class specifications to make them more accurate. As a division representative, she was concerned with inequity resulting between SNAMHS and NMHI if these appeals were granted.

Commissioner Gamboa moved to grant the appeals because the appellants were creating medical records, stating the Medical Records concepts were vague and ambiguous. He felt it was an easy call regardless of the ramifications.

Ms. Blotter asked if the motion included all four appellants even though they were performing different duties.

Commissioner Skaggs agreed there were different levels of medical office support and felt it needed more study. Chairman Manos asked Commissioner Gamboa to clarify his motion.

Commissioner Gamboa moved to grant Kathy Shapland to an Medical Records Technician I and Evelyn Gilbert to an Medical Records Technician II, and deny the others.

In discussing the motion, Commissioner Riley stated she couldn't see anything that would justify Ms. Gilbert moving from a grade 27 to a grade 31 and made a motion to deny all four appeals. Commissioner Skaggs seconded the motion; however, felt the Medical Records Technician series needed to be reviewed in its entirety. He stated accreditation made a big difference to the structure of an organization from a medical director on down.

Chairman Manos clarified that Commissioner Gamboa's motion failed without a second; and Commissioner Riley's motion to deny the appeals was seconded by Commissioner Skaggs. The motion carried with Commissioner Gamboa opposed.

Commissioner Skaggs made another motion to request the Department of Personnel review the Medical Records Technician duties, look at accreditation for the higher level positions, and compare them to the appellants' positions. Commissioner Riley seconded the motion and it unanimously carried. Chairman Manos stated the Commission wanted the study presented in approximately six months at the spring 2001 meeting.

Meeting adjourned for the day at 6:15 p.m.

Meeting reconvened on October 5, 2000, 8:17 a.m.

(5) Administrative Assistant I's - Nancy Hansen, Linda Farinella, Ernestine Gimble, Nona Sue Walker and Nancy Young

Department of Human Resources, Health Division, Special Children's Clinic

Nancy Hansen, representing the appellants, stated they sought an upgrade to Administrative Assistant II, grade 25, because their positions better aligned with the concepts of that level. Ms. Hansen explained they provide clerical support to a staff of sixty professionals which include Pediatricians, Clinical Social Workers, Nutritionists, Audiologists, Physical/Occupational Therapists, Speech Pathologists and Psychologists. They access databases and create reports for statistical information monthly and annually, receive and process applications, compose correspondence, create forms, make multiple appointment scheduling and travel arrangements, open and route mail and telephone messages to staff, assist families coming into the clinic, provide direction and assistance for referrals, and direct families to outside community resources. The Department of Personnel had compared their positions to a higher grade position at the Women, Infants, and Children (WIC) Clinic and determined their positions were not comparable.

Tina Emrich, Unit Supervisor, Special Children's Clinic voiced support for the appeal.

Alys Dobel, Personnel Analyst, Department of Personnel, compared the appellants' duties to a benchmark position at the WIC Clinic.

Ms. Dobel explained that both the appellants and the positions at the WIC Clinic perform receptionist duties such as answering phones, greeting the public and clients and processing mail. Mail is processed very differently at the Special Children's Clinic in that the mail is opened, date stamped and routed to the recipient. However, mail received at the WIC Clinic is opened, date stamped, and read in order to determine the nature of the correspondence and determine initial eligibility. Ms. Dobel provided other examples of duties performed at the WIC Clinic which included scheduling appointments, editing monthly reports against workload, investigating apparent errors, problem solving, explaining procedures to clients, issuing food vouchers, and working directly with vendors. She pointed out the SME committee had determined the appellants' positions were at the Administrative Assistant I level.

There being no further discussion, Commissioner Skaggs' motion to deny the appeals was seconded by Commissioner Riley and unanimously carried.

B. LEGAL SECRETARIES

(40) Legal Secretary II's – Anne Ingalls, Judith Girton, Rachel Brooks, Susan Hanshew, Judy Fishburn, Kristen Hansen, Linda Deming, Pamela Young, Sandra Gibbons, Charlene Hembree, Gerlean Mosey, Joan Thran, Lisbet Sherwood, Pamela Sharp, Carol Sweeney, Salley Bullard, Dorene Wright, Nancy Key, Janice McClure, Eva Crouch, Kathleen Bishop, Therica Hubbard, Debra Landrum, Doris Bryan, Suzanne Custer, Karen Fields, Diana Powell, Dorianne Potnar, Rebecca Marfil, Sharon Smallwood, Tracy Seymon, Linda Metropulos, Frances Owens, Doris Williams, Kat Howe, Sharon O'Hara, Dorothy Young, Patricia Hicks, and vacant position 1030-0188

Office of the Attorney General

(8) Supervising Legal Secretaries – Sue Lindsey, Carolyn Tyzbir, Traci Dory, Kathy Schultz, Melissa Mendoza, Sally Putman, Claire Murphy, Debra Gyger

Office of the Attorney General

Frankie Sue Del Papa, Attorney General, appreciated the courtesy extended to the Office of the Attorney General and submitted there were several reasons, clearly articulated in the appeal, as to why an upgrade was warranted. Legal secretaries, in the State's largest law office, are required to perform additional duties in order to keep pace with the ever-changing laws and are an integral part of the Office of the Attorney General. Attorney

General Del Papa stated the duties of the secretaries are clearly different from other support positions, and there was no room for error when dealing with the law. She respectfully urged the serious consideration of the appeals.

Kevin Higgins, Chief Deputy Attorney General, Office of the Attorney General, stated the practice of the law had changed significantly within the last 10 years due to advances in technology. Secretaries had evolved from taking dictation and performing filing duties to assisting with the entire law process. Mr. Higgins pointed out part of the reason for the appeal was that the Department of Personnel agreed the duties had changed, and had adopted most of the language in the new class concepts as provided by legal secretaries. However, this resulted in revised Legal Secretary II concepts rather than an upgrade to Legal Secretary III.

Mr. Higgins felt the Legal Secretary II's performed comparable duties to the Legal Assistant II, grade 29. The only distinction was that Legal Secretary II's did not perform legal research within the law library. He urged the Commission to consider upgrading the legal secretaries because they were an integral part of the entire operation.

Commissioner Gamboa inquired if Mr. Higgins was asking to upgrade the entire Legal Secretary series two grades, and if the Legal Secretary II's were reclassified as Legal Secretary III's, would there continue to be any Legal Secretary II's?

Mr. Higgins replied that there would still be Legal Secretary II's who performed at the journey level and secretaries with extensive legal experience that would be Legal Secretary III's.

Shelley Blotter, Personnel Analyst, Department of Personnel, explained she had consulted with a SME committee consisting of members who had been employed with the Office of the Attorney General within the last 10 years performing the duties of legal secretaries. Based on the information provided, including the audit notes and PDQ's, a class concept for the Legal Secretary series was developed. However, the SME's had not been able to identify any separate duties or knowledge, skills, and abilities (KSA's) that would elevate the Legal Secretary II above grade 27. Ms. Blotter stated the Department of Personnel was aware of the compensation issue and the fact that market rate pay affected all State employees, not just legal secretaries; however, the task before the Commission was to ensure internal alignment and equity. The appellants did not perform the same duties as the Legal Assistant II which was appropriately aligned at a grade 29.

There was additional discussion regarding the classification factors and comparisons between Legal Secretaries and Administrative Assistants.

Attorney General Del Papa stated although important, the issue was not just one of compensation. Technology is changing and employees were expected to respond faster.

The budget of the State of Nevada for the last several legislative sessions had been balanced on the backs of all State employees. She contended the requirements for legal secretaries have been changed and given more responsibility without increasing compensation.

Subsequent discussion involved the knowledge, skills and abilities and the minimum qualifications of Legal Secretaries.

Chairman Manos proposed to simply upgrade the Legal Secretary II to grade 29, Supervising Legal Secretary to grade 31, and Legal Office Manager to grade 33, instead of rewriting the concepts. Mr. Higgins confirmed that is what they were basically requesting.

There being no further discussion, Commissioner Gamboa's motion to grant the appeals was seconded by Commissioner Riley and carried with Commissioner Skaggs opposed.

C. ACCOUNTING ASSISTANTS

(3) Accounting Assistant I's - Shelby Grabill, Cwendolyn Chapman, Carol Blasch, *Department of Transportation*

Chairman Manos stated the appellants were seeking to be upgraded to Accounting Assistant III, grade 27, and the Commission would hear them together.

Shelby Grabill explained she had been reclassified to an Accounting Assistant I, grade 23, but felt strongly that she should be upgraded to an Accounting Assistant III, grade 27, on the basis of the complexity of her duties. Ms. Grabill said she dealt with 86 separate agencies ranging from Nevada Highway Patrol to the Lander County School District, in addition to the Department of Transportation (NDOT) fleet of 3,200 vehicles amounting to \$3 million in fuel billing. She was solely responsible for its accuracy. She performed her duties independently with no supervision. She stated she also serves as backup to the department's Computer Network Technician I performing duties such as troubleshooting scanners, printers, PC's and keyboards, as well as inputting payroll timesheets into the Integrated Financial System (IFS).

Cwendolyn Chapman stated she strongly believed she should also be reclassified to Accounting Assistant III. She explained she processed over \$30 million per month in payments, created spreadsheets, was knowledgeable of the accounting coding manual and State Administrative Manual, and created purchase orders, journal vouchers and billing claims. These duties were performed independently with no supervision. Ms. Chapman explained the consequence of error could lead to vendors not receiving payments on time and delayed receipt of shipments. Ms. Chapman felt for these reasons she should, at the very least, be reclassified to Accounting Assistant II, grade 25.

Carol Blasch explained she processes accounts receivable/payable documents, reviews reports for accuracy, ensures compliance with established guidelines, administers internal ad hoc reports, audits purchase orders, reviews and verifies information, researches and interprets NAC and NRS, monitors agreements and spending, reconciles spreadsheets monthly, ensures vendors receive proper payments, and is the first-line of any indication of a problem along the State's roadways and highways. District II extends from the California/Oregon border to Hawthorne in the south. Ms. Blasch contended she too works independently of other staff.

Sandra Silva, Personnel Analyst, Department of Personnel, stated typical duties of Accounting Assistant I's were to input, retrieve, and manipulate data to organize, track and record financial information, locate correct records in case of error, research agency records, prepare travel claims and training requests, and process invoices for payment. Ms. Silva pointed out Accounting Assistant I positions utilized computer databases and spreadsheets extensively in order to carry out daily work functions and felt the overall scope of the appellants' duties were narrow with work undergoing comprehensive review prior to any action being taken. As part of the evaluation process, Ms. Silva stated the appellants' positions were compared to benchmark positions working in NDOT's Central Accounting Division and they aligned with those allocated to Accounting Assistant I.

Ms. Silva further explained the duties typically assigned to Accounting Assistant II's, indicating these duties have not been assigned to the appellants' positions.

In response to an inquiry by Commissioner Riley, Ms. Blasch said after completion of the data input process, documents were provided to NDOT's Central Accounting/Payroll Division at NDOT for delivery to the Controller's Office. Ms. Grabill commented they were the last-line of defense for accounting errors and discussion ensued regarding what occurred in the event of an accounting error.

After further clarification of the class concepts and duties assigned to the appellants and additional input from John Johnson, Ms. Blasch's supervisor, Commissioner Skaggs' motion to deny all the appeals was seconded by Commissioner Riley. The motion carried with Commissioner Gamboa abstaining due to conflict of interest.

D. RETAIL STOREKEEPER/SUPPLY TECHNICIANS

Charles Horn, Retail Storekeeper III
Department of Prisons, Inmate Services

Charles Horn requested that Storekeepers in a correctional facility be separated from the Retail Storekeeper series, and retitled Correctional Storekeeper. Mr. Horn additionally requested to be reclassified from Retail Storekeeper III, grade 28, to Prison Industries Supervisor, grade 34. He indicated he was responsible for supervising six inmate workers

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who were assigned razor blade box cutters and various other tools, which put his sense of well-being in jeopardy; preventing escapes; controlling inmate workers; maintaining and retrieving information from the computer system; placing orders with vendors; and rotating stock items. Mr. Horn stated within the Prison Industries, there was no other individual other than inmate services personnel who could run the Canteen and he felt the Retail Storekeepers were under appreciated. Proceeds generated from the stores funded many programs and were utilized to offset medical costs within the system. Mr. Horn added his supervisor, Gary Long, supported his appeal.

Mary Day, Supervisory Personnel Analyst, Department of Personnel, clarified the existing Storekeeper series within the Clerical & Related Services occupational group was split into two separate classifications (Supply Technicians and Retail Storekeepers) because it had been determined the Retail Storekeepers were sufficiently different to warrant the split. Because of the profit incentive and the emphasis on merchandising, the Retail Storekeepers will be placed in the Fiscal Management and Staff Services occupational group and given a one-grade increase.

Sandra Silva, Personnel Analyst, Department of Personnel, pointed out Mr. Horn's request was for a six-grade increase from the level to which he was allocated. She explained Prison Industries Supervisors developed new product lines and specifications associated with the new product line, job costing and estimation of selling prices to a competitive market place. These were duties that Mr. Horn currently did not perform. Ms. Silva stated that granting Mr. Horn's reallocation request to a separate class series or upgrading his position to a Prison Industries Supervisor would directly impact all positions allocated to the Retail Storekeeper series and place Mr. Horn one-grade below his supervisor, Gary Long, Program Officer III, grade 35. Ms. Silva noted the Storekeepers within the Department of Prisons were also provided with a +5% salary adjustment for supervising inmate personnel.

Chairman Manos inquired if the +5% salary adjustments were to be removed, would that adjustment affect the Retail Storekeepers. Ms. Greene replied no, it was a separate section within the regulation that identified those individuals whose supervision of inmates was not part of their class specification. The +5% would apply in Mr. Horn's case.

In response to comments made by Chairman Manos, Gary Long explained he supported the Department of Personnel regarding the separate class specifications; however, he did not believe the grade levels were adequate. Mr. Long supported and attested to the duties performed by the Retail Storekeepers.

There being no further discussion, Commissioner Riley's motion to deny the appeal was seconded by Commissioner Skaggs and unanimously carried.

Patricia Holbury, Supply Technician I
*Department of Human Resources, Mental Health/Developmental Services Division,
Southern Nevada Adult Mental Health Services*

Speaking on Patricia Holbury's behalf, Jeanine Elliott-Lake, State of Nevada Employees' Association, Las Vegas, felt Ms. Holbury's duties were consistent with that of Supply Technician II, grade 27. In a non-supervisory capacity, Ms. Holbury oversees a single warehouse which serves over 316 employees, including three off-campus sites as well as an 86-bed hospital. Her duties included ordering and purchasing medical/hospital equipment and supplies, clothing, linens, oxygen, etc., preparing purchase orders and estimates, establishing delivery schedules for supplies, and working independently of supervision.

Ms. Holbury added she performed on-site hazardous waste pickup, stocked crash-carts, rotated medical items for nurses, assessed patient needs, and supervised and reassigned staff on a daily basis. She felt she warranted an upgrade due to the fact she met criteria outlined in the class concepts for Supply Technician II.

Nancy VanLoohan, Director of Nursing Services, Southern Nevada Adult Mental Health Services (SNAMHS) explained that out of 112 employees she supervised, only one, Ms. Holbury, wrote her own policies and procedures and delivered it to the Policy & Procedures Committee for approval, and Ms. Holbury made independent decisions regarding daily needs.

Sandra Silva, Personnel Analyst, Department of Personnel, explained Supply Technician II's are distinguished from Supply Technician I's by responsibility for supervising lower level Supply Technicians and Supply Assistants, or on an ongoing basis, independently exercising a significantly higher level of purchasing authority specifically delegated by the Purchasing Administrator in a Direct Purchase Authorization. Ms. Holbury oversees supply/storage areas at SNAMHS and serves several off-campus sites. Ms. Holbury's position neither supervises lower level positions nor independently exercises a significantly higher level of purchasing authority.

Commissioner Gamboa inquired how Ms. Holbury could order a product and not have purchase authority. Ms. Silva replied once Ms. Holbury locates the best price and availability, she completes a requisition form. All requisitions are reviewed and approved by the Director of Nursing Services and are then sent to the business office. These requisitions are reviewed for compliance with State and agency regulations, policies, procedures, budget authority and correct coding and then assigned a purchase order number. Once a purchase order has been approved, Ms. Holbury may make arrangements for the delivery of required items or services.

Chairman Manos inquired if there was any comparison which the Commission should be concerned between Supply Technician I's in other agencies in relation to the amount of

their individual storerooms or amounts of purchases. Ms. Silva responded dollar amounts and size of warehouse were not a criteria in the study.

There being no further discussion, Commissioner Skaggs' motion to deny the appeal was seconded by Commissioner Gamboa and unanimously carried.

XI. Uncontested Classification Action Report

No vote required.

XII. Selective Certification

No vote required.

XIII. Special Reports

In response to an issue from the June 16, 2000, Personnel Commission meeting, regarding NAC 284.562, Jeanne Greene, Director, Department of Personnel provided the Commission a listing of definitions of "immediate family" utilized by other State, local, and county agencies. A wide range of definitions were applied, however, the State of Nevada's definition appeared consistent with many other jurisdictions.

Commissioner Riley noted the states of Arizona, Oregon, and California included adopted children whereas the State of Nevada did not and asked how the interpretation would be handled. Ms. Greene replied adopted and step-children are considered children and included in the code; however, foster children would not. Ms. Greene recommended that no change be made in the current regulations for the State of Nevada based upon the research conducted.

With regard to the +5% issue, Ms. Greene requested clarification from the Commission for the Department regarding the intent of possibly eliminating +5% altogether. Chairman Manos indicated he understood that in eliminating +5 %'s across the board, various items would need to be included in the class specifications. Ms. Greene indicated that the actual classification process would become more cumbersome that it already was.

Commissioner Riley asked if it was the intent of the State's administration to abolish all +5%'s. Ms. Greene replied it was not the intent to abolish all +5%'s, rather the Governor wanted to abolish this one regulation because the term assaultive environment was included in the class specification for nurses and mental health technicians.

XIV. Comments by the General Public

Chairman Manos stated he had been contacted by Phillip Plentzas, University of Nevada, Las Vegas (UNLV), who indicated Eric Brueggemann, a Stores Supervisor I, grade 29, was being downgraded to a Supply Technician II, grade 27, as a result of the Clerical and Related Services occupational group study. An appeal had been submitted by Mr. Brueggemann; however, it was considered untimely per NAC 284.152. Mr. Plentzas asked the Commission to allow Mr. Brueggemann's appeal to be heard at the next Personnel Commission meeting due to his misunderstanding of the appeal timeframes. Given the circumstances, Chairman Manos informed Mr. Plentzas he would bring the matter to the attention of Commission members.

Jim Spencer, Senior Deputy Attorney General, explained the regulations were clear in stating an appellant had 30 days under the statute or 20 working days upon receipt of written notice. He was concerned if the Commission allowed the appeal to be heard, it would be construed as a waiver of the regulation and cautioned the Commission in allowing any perceived waiver, thus opening a "floodgate" to anyone who would argue they had followed bad legal advice. He suggested the Commission reject any appeal outside the time period.

A discussion ensued regarding the legality of the issue and it was determined the appellant received notification in a timely fashion and bad legal advice was not a valid reason for an extension of the appeal process.

Chairman Manos asked if the appellant could file an NPD-19, to which Ms. Greene responded if his duties were to significantly change, he would have that right.

Commissioner Skaggs moved to comply with the State's regulations and all members agreed.

Mr. Plentzas suggested clarifying and specifying "working" and "calendar" days within an appellant's letter in order to alleviate similar situations.

XV. Select Date for Next Meeting

Next meeting set for January 4, 2001, in Las Vegas.

XVI. *Adjournment

Commissioner Gamboa's motion to adjourn the meeting was seconded by Commissioner Skaggs and unanimously carried at 12:20 p.m.